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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Toshiaki Kuroda

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EXAMINER

REFAI, RAMSEY

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/775,142	KURODA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ramsey Refai	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/04/08</u> .  | 6) <input type="checkbox"/> Other: _____                          |

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## **DETAILED ACTION**

### ***Response to Amendment***

Responsive to Amendment received June 25, 2008. Claims 1-21 have been amended. Claims 22-26 are new. Claims 1-26 remain pending.

### ***Response to Arguments***

1. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 08/04/08 is being considered by the examiner.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 5, 10, 15, 19 and 21-26 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claims include limitations that are directed to or

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require a *predetermined time period*; however such limitations appear to be unsupported by the Applicant's disclosure and therefore are deemed new matter.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable Sadler (US 6,571,218) in view of "Official Notice".

6. As per claim 1, Sadler teaches a point of sale terminal device capable of communicating information with an automatic change dispenser capable of accepting and dispensing cash, comprising:

a manual input unit that receives from a cashier a manually input amount of *unsupported tender* (**see at least column 4, line 58-column 5, line 11**);

a deposit calculation unit that receives from the automatic change dispenser an amount of cash accepted by the automatic change dispenser, and calculates total amount of deposited cash that has been deposited by a customer by adding the amount of accepted cash and the amount of *unsupported tender* (**see at least column 5, lines 3-25, column 3, lines 53-65; customer can continue the transaction at the cashier who accepts the unsupported tender, the system inherently keeps track of money deposited at self-checkout since the**

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**self checkout has a bill acceptor that accepts bills and the customer can suspend the transaction at anytime prior to completion);**

a change calculation unit that calculates an amount of change to be paid back to the customer based on the total amount of deposited cash, and instructs the automatic change dispenser to dispense the amount of change **(see at least column 4, line 58-column 5, line 11; the cashier terminal inherently calculates the amount of change back when completing the transaction by the cashier).**

Sadler fails to teach manually entering tender that was *rejected by the automatic change dispenser*. However “Official Notice” is taken that the concept of rejecting cash by an automatic change dispenser is well known in the art as evidenced by Sadler who teaches that bills are rejected by a self checkout if they fail a visual check (see paragraph [0046]). It would have been obvious to one of ordinary skill in the art to include this feature in Sadler because doing so would allow the system to continue a transaction at a cashier when money is rejected by the self-checkout by manual accepting the rejected money at the cashier terminal.

7. As per claim 2, Sadler teach the returning of bills, coins and change **(paragraph [0047])** but fails to teach a payment instruction unit that instructs the automatic change dispenser to refund a cash corresponding to the deposit information, when there is request for cancellation of transaction after the automatic change dispenser has accepted the cash. However, “Official Notice” is taken that the concept and advantage of this feature is well known in the art as evidenced by Marion (US Patent No. 6,073,840). Marion teaches that a customer who opts out of the transaction can request a refund from the cast acceptor which then will eject the customer payment **(column 44, line 64-column 45-29)**. It would have been obvious to one of ordinary

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skill in the art to include this feature because doing so would allow for the money accepted by the bill/coin acceptor to be refunded when the customer opts out of the transaction.

8. As per claim 3, Sadler teaches a display unit that displays the amount of accepted cash wherein the manual input receives the amount of the rejected cash after the display unit has displayed the amount of accepted cash **(fig 1 element 36; store terminal contains a display)**.

9. As per claim 4, Sadler teaches a key wherein the display unit displays the deposit information when the key is operated **(fig 1 element 36 store terminal inherently contains the ability to display tender information using keypad)**.

10. As per claim 5, Sadler teaches a totaling unit that separately calculates a total of the amounts of the accepted cash that has been accepted by the automatic change dispenser over a predetermined period of time and a total of the amount of rejected cash that have been manually input through the manual input unit over the predetermined time period **(see at least column 5, lines 3-25, column 3, lines 53-65)**.

11. As per claims 6-21, these claims contain similar limitations as claims 1-5 above, therefore are rejected under the same rationale.

12. As per claim 22, Sadler teaches wherein the POS terminal device further comprises: a drawer that stores the rejected cash; and an output unit that outputs: a total amount of cash stored in the automatic cash dispenser and a total amount of cash stored in the drawer at the end of the predetermined period of time, the calculated total of the amounts of accepted cash

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over the predetermined period of time, the calculated total of the amounts of rejected cash over the predetermined period of time, a calculated total of the amounts of change paid back to customers over the predetermined period of time, and a calculated total amount of cash that is supposed to be stored in the automatic cash dispenser and the drawer at the end of the predetermined period of time (**see at least column 5, lines 3-25, column 3, lines 53-65, fig 1 element 36**).

13. As per claims 23-26, these claims contain similar limitations as claim 23 above and therefore are rejected under the same rationale.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. **Inoue et al (US 6,981,633)** and **Bohnert et al (US 5,797,470)**

Examiner's Note: The Examiner has cited specific citations in the reference(s) as applied to the claim(s) above for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the Applicant, in preparing their response, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m. .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramsey Refai  
October 14, 2008  
/R. R./  
Examiner, Art Unit 3627

/F. Ryan Zeender/  
Supervisory Patent Examiner, Art Unit 3627